

(323) 881-2401

March 17, 2003

TO: EACH SUPERVISOR

FROM: P. MICHAEL FREEMAN

**LAFCO MARCH 26, 2003, PUBLIC HEARING
CITY OF MONTEBELLO REQUEST FOR EXEMPTION
REGARDING FIRE SERVICES TO COMMERCE**

As I advised you on February 14, 2003, the Superior Court issued a Temporary Restraining Order (TRO) against the City of Montebello regarding their provision of fire services to the City of Commerce. On March 7, 2003, the Court issued a preliminary injunction restraining Montebello from providing fire protection services to the City of Commerce until such time as LAFCO has made a determination that the fire protection services to be provided by the City of Montebello are "consistent" with the services currently being provided by the Los Angeles County Fire Department.

LAFCO has scheduled a public hearing for March 26, 2003, to consider the request by Montebello for an exemption from the LAFCO process. LAFCO could grant an exemption from a full LAFCO review if Montebello's proposed service to the City of Commerce is determined to be consistent with the level of services contemplated by the Fire District.

In response to their request, I will be providing LAFCO with additional information for consideration at their hearing. This submission will make the argument that the service levels are not the same, or "consistent," that an exemption from the full LAFCO review is not appropriate in this case, and that LAFCO should conduct a full hearing on this matter. Attached is an Executive Summary of the issues we will be presenting to LAFCO.

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I will keep you apprised of further actions as they occur. If you have any questions, please feel free to call me at the above telephone number.

PMF:da

Attachment

c: David E. Janssen
Lloyd W. Pellman
Louisa Ollague
Randi Tahara
Joseph Charney
Matt Knabe
Sussy Nemer

EXECUTIVE SUMMARY LAFCO PUBLIC HEARING

Purpose of Hearing

- A city is allowed to provide new or extended services outside its boundaries only if written approval is received from LAFCO. This approval is not required when the service to be provided is “consistent” with the level of service contemplated by the existing service provider.
- Montebello is contending that the level of service they will provide Commerce is better and more cost effective than that provided by the Fire District, and has requested an “exemption” from LAFCO’s approval of their contract with Commerce.
- The 3/26/03 hearing is for the purpose of determining if an exemption is appropriate in this case. If the exemption is not granted, a full LAFCO review and subsequent hearing may be held if requested by Montebello.

Consistent Service Issues

- Number of Fire Stations: In addition to the 3 District stations inside Commerce, the District has 10 stations within 5 miles. These 13 stations compare to the 6 stations in the proposed Montebello-Commerce fire department.
- Number of Units: In addition to the 5 units inside Commerce, 7 District units have primary jurisdiction within the City of Commerce, and an additional 12 units are within 5 miles of the City. These 24 units compare to 8 units in the proposed Montebello-Commerce fire department.
- Number of Personnel: In addition to the 15 firefighters based inside Commerce, 24 additional firefighters are based in stations that have primary jurisdiction within the City of Commerce, and an additional 39 firefighters are based within 5 miles of the City. These 75 firefighters compare to 27 firefighters in the proposed Montebello-Commerce fire department.

Specialized Units

- The Fire District staffs many specialized units available to Commerce, such as hazardous materials units, urban search and rescue units, helicopters, etc. that are not staffed in the proposed Montebello-Commerce fire department.

Move Ups

- Because of the potential of significant incidents in Commerce, the Fire District “moves-up” units into Commerce from surrounding District stations should it be anticipated that Commerce-based units will be involved on incidents over 30 minutes. The proposed Montebello-Commerce Fire Department will not have enough equipment to provide move-ups into Commerce and still leave their city protected.

Cost

- The District offered to lower Commerce’s annual costs to \$5.6 million. Compared to Montebello’s cost of \$6.3 million for the first year of service, Commerce would have saved \$600,000 to \$700,000 depending upon the paramedic configuration Commerce desired.